## UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

DEC 3 0 2004

CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

DONALD BEARDSLEE,

Petitioner - Appellant,

V.

JILL BROWN, Warden of the California State Prison at San Quentin,

Respondent - Appellee.

No. 01-99007

D.C. No. CV-92-03990-SBA

**ORDER** 

Before: THOMAS, Death Penalty Coordinator

The deadline for the parties to file petitions for rehearing and rehearing en banc (with respect to the supplemental opinion filed December 29, 2004 in this case) is 12:00 p.m. (noon), P.S.T., Wednesday, January 5, 2005. Optional responses must be filed on or before 12:00 p.m. (noon) on Thursday, January 6, 2005.